

The Gold King Mine Spill Recovery Act of 2015

The Gold King Mine Spill Recovery Act of 2015 ensures expeditious compensation for losses incurred as a result of the Gold King Mine Spill on August 5th, 2015. The legislation sets up an Office of Gold King Mine Spill Claims and outlines allowable damages for settlement under the Federal Tort Claims Act. Additionally, the legislation requires EPA work with affected States and Indian tribes to develop, fund and implement long-term monitoring of the impacted rivers to ensure environmental standards remain.

To ensure such an accident does not happen again, the legislation requires EPA and other relevant Federal agencies identify the most dangerous known abandoned/inactive mines and establish a priority plan for remediating them. Federal entities must conduct certain activities prior to any remediation, including development of contingency plans and notification of potentially impacted entities to ensure timely notification and coordination in the event of another accident.

Section 1. Short Title

- Gold King Mine Spill Recovery Act of 2015

Section 2. Findings

- This section reviews the Gold King Mine Spill events and actions taken.

Section 3. Definitions

- Defines the Spill, Injured Persons and Injury.

Section 4. Compensation for Victims of the Gold King Mine Spill

- Entitles injured parties compensation under chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”).
- Sets up an Office of Gold King Mine Spill Claims to expeditiously carry out the claim process.
- Outlines allowable damages, including property loss, business loss and financial loss.

Section 5. Long-Term Water Quality Monitoring Program; Sense of Congress

- Requires EPA to work with affected States and Indian tribes to develop, fund and implement long-term monitoring of the affected rivers.
- Sense of Congress that EPA should consult with affected communities and Indian tribes on designation of Upper Animas River watershed to the National Priorities List and for construction of a water treatment plant to reduce ongoing discharge into the River.

Section 6. Amendment to CERCLA

- Requires relevant agencies to work with Governors and research universities to identify the most dangerous known abandoned and inactive mines and establish a priority plan for clean-up that shall be updated as new information becomes available.
- Requires federal agencies to conduct certain activities prior to mine remediation, such as developing contingency plans and alerting potentially affected entities.

Section 7. Effect of Act

- Nothing in this Act (or an amendment made by this Act) provides for compensation of any injured person pursuant to this Act (or an amendment made by this Act) from the Hazardous Substances Superfund established by section 9507(a) of the Internal Revenue Code of 1986.